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PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997

Revised estimates under section 3, Peace-keeping operations and special missions; section 32, Staff assessment and income section 1, Income from staff assessment

Commission of Inquiry in Rwanda

I. INTRODUCTION

1. In its resolution 1013 (1995) dated 7 September 1995, the Security Council requested the Secretary-General to establish, as a matter of urgency, an International Commission of Inquiry, with the following mandate:

(a) To collect information and investigate reports relating to the sale or supply of arms and related matériel to former Rwandan government forces in the Great Lakes region in violation of Council resolutions 918 (1994), 997 (1995) and 1011 (1995);

(b) To investigate allegations that such forces are receiving military training in order to destabilize Rwanda;

(c) To identify parties aiding and abetting the illegal acquisition of arms by former Rwandan government forces, contrary to the Council resolutions referred to above;

(d) To recommend measures to end the illegal flow of arms in the subregion in violation of the Council resolutions referred to above.

2. The Council further recommended that the Commission be appointed by the Secretary-General and be composed of 5 to 10 impartial and internationally respected persons, including legal, military and police experts, under the

Chairmanship of an eminent person, and assisted by the appropriate support staff. By the same resolution, the Security Council also requested the Secretary-General to report to the Council on the establishment of the Commission, and further requested him to submit, within three months from its establishment, an interim report on the conclusions of the Commission, and, as soon as possible thereafter, to submit a final report, containing its recommendations.

3. By a letter dated 13 March 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/195), the Secretary-General transmitted to the Council the final report of the Commission of Inquiry. As requested by the Council, that report contained the Commission's conclusions, as well as its recommendations regarding possible measures to curb the illegal flow of arms in the Great Lakes region.

4. In resolution 1053 (1996) dated 23 April 1996, the Security Council, inter alia, commended the members of the Commission of Inquiry for the excellent investigation they had conducted; noted that the Commission had received strong indications from its sources that aircraft were continuing to land at Goma and Bukaru with arms for former Rwandese government forces and that senior figures among those forces were still actively raising money, apparently for the purpose of funding an armed struggle against Rwanda; and further noted that the Commission had not yet been able to investigate thoroughly those allegations of continuing violations of the arms embargo. The Council therefore:

(a) Reaffirmed the importance it attached to the work of the Commission, to the investigations it had conducted to date and to continued effective implementation of the relevant Council resolutions;

(b) Requested the Secretary-General to maintain the Commission on the basis set out in paragraph 91 (c) of the report of the Commission (S/1996/195, annex) to follow up its earlier investigations and to stand ready to pursue any further allegations of violations, especially of current and expected armed conflict.

5. The Commission of Inquiry will, as mandated by the Security Council, pursue its investigations in the States of the Great Lakes region, in particular Rwanda, Zaire, Uganda and the United Republic of Tanzania. It will continue to investigate reports of violations of the arms embargo imposed by Security Council resolution 918 (1994) and to gather information relating to those alleged violations in those countries and in Kenya. The Commission would, therefore, need to secure the assistance and cooperation of high-level government officials and thereafter maintain close liaison with police, customs and military officers of those countries. In addition, the Commission will investigate any indication of any new or ongoing violations, including visits to sites of alleged violations in Zaire and/or the United Republic of Tanzania and interviewing airport personnel, local customs, police and military officers and others, as required.

6. In line with the recommendations of the Commission, as approved by the Security Council, the Commission will be composed of a small number of members, four instead of six, including its Chairman. The Commission will be supported

by three international staff and five staff at the local level, representing a reduction by five international and one local-level staff.

II. BUDGET OF THE COMMISSION

A. Composition of the Commission

7. As proposed in the report of the Commission (S/1996/195, annex), its size has been reduced and its composition adjusted to take into account the need for maximum cost-effectiveness. The Commission's modus operandi will take into account the need to report to the Security Council by 1 October 1996. The Commission will be composed of four impartial and internationally respected persons, including customs, military and police experts. The Chairman of the Commission will be a United Nations staff member, appointed by the Secretary-General at the D-2 level. The other three members will be made available by Governments, on a non-reimbursable basis, to carry out the activities requested by the Security Council. Their salaries will be paid by their respective Governments. Travel and subsistence allowance in the area of operations would be borne by the United Nations.

8. The Commission will be supported by three international staff (1 P-5, 1 P-3 and 1 General Service) and five local-level staff. The functions of the United Nations staff are as indicated below:

(a) The Executive Secretary of the Commission and Senior Political Affairs Officer (P-5) will be responsible for liaison with senior military and civilian figures in the States of the Great Lakes region, up to the head-of-State level; advise the Chairman and members of the Commission on all political aspects of their work; draft, for the approval of the Chairman and members, all correspondence with government officials. The staff member will be responsible for preparing the Commission's regular and special reports to Headquarters; draft the Commission's reports to the Security Council, including recommendations; liaise with permanent missions to the United Nations, as required; assist the Chairman of the Commission in informal consultations concerning the Commission's work; assist the Department of Peace-keeping Operations in liaising with other Secretariat departments in finalizing the report to the Security Council;

(b) The Security Coordinator/Administrative Officer (P-3) will be responsible for the security and safety of United Nations personnel and property assigned to the Commission, including the preparation and implementation of a security plan; assessment of local security conditions; establishment of modalities for reporting security information; and liaison with local authorities. The Security Coordinator will also conduct training and set up a financial plan for security purposes. In performing the functions of Administrative Officer, the staff member, under the supervision of the Chairman of the Commission and in accordance with established policies and procedures, will be responsible for providing effective administrative, financial and logistics support services to the Commission. Responsibilities also include liaison with other United Nations organizations, missions and agencies on matters of mutual interest and concern;

(c) One international General Service staff will provide the necessary support to the Commission;

(d) Local-level staff: two will act as interpreters and three as drivers.

9. The Commission will continue to operate from Nairobi, from where it will conduct its investigations into allegations of arms flows to former Rwandese government forces in the Great Lakes region of Central Africa.

B. Financial requirements for the period from 1 May to 31 December 1996

10. The total estimated requirements of the Commission for the eight-month period amount to $998,800 gross or $931,800 (net of staff assessment). These costs are summarized in the table below and detailed in the annex to the present report.

	1996 $
Members of the Commission	102 100
Temporary posts	224 300
Common staff costs	98 300
Mission subsistence allowance	115 800
Travel of staff	102 600
Premises	16 000
Transport operations	40 700
Air operations	120 000
Communications	80 000
Miscellaneous supplies and services	32 000
Total (net of staff assessment)	931 800
Staff assessment	67 000
Total	998 800

III. CONTINGENCY FUND

11. The Secretary-General is of the view that the activities relating to the Commission are of an extraordinary nature and should be dealt with outside the procedures related to the contingency fund, as provided for in paragraph 11 of annex I to General Assembly resolution 41/213 of 19 December 1996.

IV. ACTION REQUIRED BY THE GENERAL ASSEMBLY

12. In its resolution 1053 (1996), the Security Council authorized the continuation of the Commission of Inquiry. In order to respond to the activities called for by the Council, an additional appropriation of $931,800 would be required under section 3, Peace-keeping operations and special missions, of the programme budget for the biennium 1996-1997. An additional appropriation of $67,000 would also be required under section 32 (Staff assessment), offset by the same amount under income section 1 (Income from staff assessment).

Annex

COST ESTIMATES FOR THE PERIOD FROM 1 MAY TO 31 DECEMBER 1996

(In thousands of United States dollars)

1. Civilian personnel costs

(a) Government-provided personnel — 102.1

Three expert members of the Commission would be provided by Governments on a non-reimbursable basis. The estimates relate to travel and subsistence to be provided by the United Nations. Travel to and from the mission area is estimated at $2,700 per person and subsistence allowance, at a daily rate of $145 for the first 30 days and $109 thereafter, with a supplement of 25 per cent.

(b) International and local staff — 438.4

Staffing is based on the following: the Chairman of the Commission would be at the D-2 level, supported by three international staff (1 P-5, 1 P-3 and 1 General Service) and five local-level staff.

Salaries and common staff costs are estimated at $322,600; mission subsistence allowance at $115,800. Travel to and from the mission area is included under the estimates for salaries and common staff costs.

(c) Travel — 102.6

The estimates under this heading relate to travel of the members of the Commission to New York for briefings and consultations ($37,800). Approximately two trips are estimated for a duration of eight days each. In addition, it is also estimated that members of the Commission, accompanied by two support staff, would be travelling outside the Great Lakes region for investigation purposes. Approximately four trips are envisaged at an estimated cost of $48,000. Travel within the Great Lakes region area is estimated at $16,800.

2. Premises — 16.0

The Commission would be accommodated at the United Nations Office at Nairobi. Provisions under this heading relate to reimbursement for rental of premises at the Gigiri complex, estimated at $1,000 per month ($8,000); supplies to maintain premises, estimated at $200 per month ($1,600); maintenance services, estimated at $200 per month ($1,600); and utilities, estimated at $1,200 per month ($4,800).

3.	Transport operations	40.7

Provision is made for the rental of up to three vehicles during the eight-month period at a daily rate of $50 for 240 days ($36,000). Petrol, oil and lubricants are estimated at $4,700.

4.	Air operations	120.0

Provision is made for the rental of one helicopter for transportation in and around Rwanda. A total of 20 flying hours per month for five months is estimated at a cost of $1,600 (all inclusive) per flying hour.

5.	Commercial communications	80.0

Pouch, telex and other communication charges are estimated at $10,000 per month ($80,000).

6.	Miscellaneous services and supplies	32.0

(a) Miscellaneous services

Provisions are made for maintenance of furniture and equipment at $100 per month ($800); hospitality at $900 per month ($7,200); and for other miscellaneous services, estimated at $1,000 per month ($8,000).

(b) Miscellaneous supplies

Miscellaneous supplies would cover the cost of stationery, office supplies and other miscellaneous expenses at a rate of $2,000 per month ($16,000).

	Subtotal	931.8
7.	Staff assessment	
	Staff assessment related to posts	67.0
	Total	998.8
8.	Income from staff assessment	(67.0)